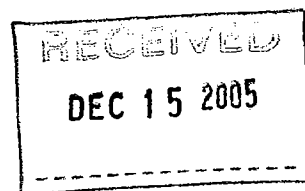


UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA



N.S. by and through his parents
J.S. and R.S.,

Plaintiffs,

v.

ANCHORAGE SCHOOL DISTRICT,

Defendant.

05-0177 CV

AFFIDAVIT OF ATTORNEY DORENE PHILPOT

Dorene J. Philpot certifies as follows:

1. That I am an attorney in good standing and licensed to practice law in the state of Indiana.
2. That I have practiced in the area of special education law for more than five years, and special education law is my primary area of practice.
3. That I currently charge an hourly rate of \$175 for pretrial work and \$200 per hour for due process hearings.
4. That these hourly rates have not to this point been challenged by any school district as unreasonable and no court has ever found the fees I charge to be unreasonable.
5. That Sonja Kerr is more experienced and more knowledgeable in special education matters than I am.
6. That I have attended special education attorney training sessions led by Ms. Kerr in the past, and that I have co-presented special education attorney training sessions with Ms. Kerr and thus am familiar with her knowledge and experience.
7. That I have professional experience in preparing for and completing due process hearings and some experience in federal court litigation; that within Indiana, I am considered by many to be the most knowledgeable, most experienced parent-side attorney in special education matters.

8. That I have personally submitted fees petitions in Indiana and had them approved by the court at an hourly rate of \$150.
9. That I have read the fees petition complaint in the instant case, the decision of the IHO, and believe that Ms. Kerr is entitled to a rate of at least \$225.00 per hour given her experience and the complexity of a due process hearing that followed two state complaints, and that it appears to me that Ms. Kerr's client prevailed, as the IHO determined that the Student was denied FAPE and awarded remedies of compensatory education and reimbursement to the parents.
10. That, in fact, I consider Sonja Kerr to be a mentor in special education matters, and I frequently ask her questions in regard to my handling of cases in my state because of her vast experience and knowledge.
11. That, based on the above, I believe that it would be reasonable and, in fact, required for attorney Sonja Kerr to be paid a higher hourly rate than I am paid.

I certify that the above statements are true and correct to the best of my knowledge.

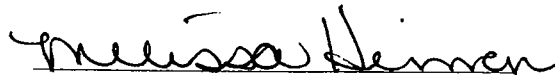
Under penalties as provided by law, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to matters the undersigned certifies as aforesaid that she verily believes the same to be true.


DORENE J. PHILPOT, Attorney

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Sworn to before me, a notary public for said County and State, this 12th day of December, 2005.

My commission expires: 6/22/2012


Signature of Notary Public

My County of Commission: Marion

Melissa Hinnen
Printed Name of Notary Public

Affidavit prepared by:

Dorene J. Philpot
Philpot Law Office LLC
Majestic Building
47 S. Pennsylvania St., Suite 701
Indianapolis, IN 46204
(317) 486-4578
Attorney No. 22055-49A